

## **REMARKS**

Claims 1-14 and 23-40 are currently pending in this application. Claims 1-3 and 23 have been amended in this paper to clarify certain aspects of these claims, and the preambles of claims 4-14 have been amended as a matter of form. The applicants and the undersigned representative would like to thank Examiner Wilkens for holding a personal interview on 5 April 2006 (the "April 5 Interview"). During the April 5 Interview, agreement was reached that the amended claims set forth in this paper are patentable over Wang and/or Inagaki. The applicants also request that this paper constitute the Applicants Interview Summary.

The status of the application in light of the Office Action dated 17 October 2005 is as follows:

(A) Claims 1-6, 10 and 12-14 stand rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,391,166 issued to Wang ("Wang").

(B) Claim 11 stands rejected under 35 U.S.C. § 103 over Wang.

(C) Claims 23-35 stand rejected under 35 U.S.C. § 103 over the combination of Wang, U.S. Patent No. 5,731,678 issued to Zila et al ("Zila"), and U.S. Patent No. 3,984,679 issued to Lublin et al ("Lublin").

(D) Claims 1-14 were rejected under 35 U.S.C. § 103 over the combination of International Publication Nos. WO00/61498 or WO00/61837 (the "Wilson Publications") and Wang, and claims 22-36 were rejected under 35 U.S.C. § 103 over the combination of the Wilson Publications, Wang and Lublin.

(E) Claims 37-40 were rejected under the doctrine of obviousness—type double patenting over claims 10-13 of U.S. Patent No. 6,569,297 in view of Wang and Zila.

(F) Claims 37, 39 and 40 were rejected under the doctrine of obviousness—type double patenting over claims 10, 16 and 17 of U.S. Patent No. 6,660,137.

(G) Claims 37-40 were provisionally rejected under the doctrine of obviousness-type double patenting over claims 38-41 of co-pending Patent Application No. 10/400,186.

A. Section 102 Rejection – Wang

Claims 1-6, 10 and 12-14 were rejected under Section 102 as being clearly anticipated by Wang. In accordance with the agreement reached in the April 5 Interview, amended claim 1 is patentable over Wang. Therefore, the applicants respectfully request withdrawal of this rejection.

B. Response to Section 103 Rejection – Wang

Claim 11 was rejected under 35 U.S.C. § 103 over Wang. Claim 11 is patentable over Wang under Section 103 because it depends from independent claim 1, and agreement was reached during the April 5 Interview that claim 1 is patentable over Wang. Therefore, the applicants respectfully request withdrawal of the rejection of claim 11 over Wang under Section 103.

C. Response to Section 103 Rejection – Wang, Zila and Lublin

Claims 23-35 were rejected under 35 U.S.C. § 103 over the combination of Wang, Zila and Lublin. Claim 23 has been amended in accordance with the amendment to claim 1, and thus claim 23 is also patentable over Wang as agreed upon in the April 5 Interview. The additional references do not disclose or suggest the features that Wang fails to teach. Therefore, the applicants respectfully request withdrawal of this rejection.

D. Response to Section 103 Rejections Based on the Wilson Publications

Claims 1-14 were rejected under 35 U.S.C. § 103 over the combination of the Wilson Publications and Wang, and claims 23-26 were rejected under Section 103 over the combination of the Wilson Publications, Wang and Lublin. At the time the invention of the present application was made, (1) the present application was subject to an obligation of assignment to Semitool, Inc., and (2) the Wilson '498 publication and the Wilson '837 publication were owned by Semitool, Inc. The Wilson '498 and Wilson '837

publications, moreover, qualify as prior art only under Section 102(e). Accordingly, the exception of 35 U.S.C. § 103(c) applies, and the rejections under 35 U.S.C. § 103(a) using the Wilson Publications should be withdrawn. For this reason and the agreement reached in the April 5 Interview, the applicants respectfully request that the Examiner reconsider and withdraw these rejections of claims 1-14 and 23-36.

E. Response to Double Patenting Rejection – U.S. Patent No. 6,569,297, Wang and Zila

Claims 37-40 were rejected under the doctrine of obviousness-type double patenting over claims 1-13 of U.S. Patent No. 6,569,297 in view of Wang and Zila. Although the applicants respectfully disagree with this rejection and reserve the right to traverse it at a later time, enclosed is a Terminal Disclaimer with respect to U.S. Patent No. 6,569,297. Therefore, this rejection should be withdrawn.

F. Response to Obviousness-type Double Patenting Rejection Over U.S. Patent No. 6,660,137

Claims 37, 39 and 40 were rejected under the doctrine of obviousness-type double patenting over claims 10, 16 and 17 of U.S. Patent No. 6,660,137. Again, the applicants respectfully disagree with this rejection, but have enclosed a Terminal Disclaimer with respect to U.S. Patent No. 6,660,137. Therefore, this rejection should be withdrawn.

G. Response to Obviousness-type Double Patenting Rejection Over Co-pending Patent Application No. 10/400,186

Claim 37-40 were rejected under the doctrine of obviousness-type double patenting over co-pending U.S. Patent Application No. 10/400,186. Again, the applicants respectfully disagree with this rejection, but have enclosed a Terminal Disclaimer with respect to U.S. Patent Application No. 10/400,186.


H. Conclusion

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied and Inagaki. The applicants accordingly request reconsideration of the application and respectfully request a mailing of a Notice of

Allowance. If the Examiner has any questions or believes a telephone conference would expedite allowance of this application, the Examiner is encouraged to call the undersigned representative at (206) 359-3258.

Respectfully submitted,  
Perkins Coie LLP

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